

Cancelled

said housing defining a volume for specimen collection therein between said first end and said partition;

said second end [being reconfigured into at least a partially arcuate shape to provide said specimen collection tube with at least a partially rounded end] comprising a false bottom end comprising an open bottom end extending from an arcuate shoulder.

REMARKS

Applicant having cancelled Claim 3 and amended Claim 1, Claims 1-2 and 4-9 now remain in this patent application.

Applicant respectfully submits that the amendment of Claim 1 and the cancellation of Claim 3 have been made in good faith, that no new matter has been added and that Claims 1-2 and 4-9 are in proper form for allowance.

a. §103(a); Griffin in view of Burns

Claims 1-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,335,730 to Griffin in view of U.S. Patent No. 5,458,854 to Burns.

It is the examiner's position that it would have been obvious to one of ordinary skill in the art at time the invention was made to have provided the invention of Griffin with the partition member as taught by Burns in order to reduce the volume in the housing.

Applicant respectfully traverses the rejection and submits that Claims 1-9 would not have been obvious over Griffin in view of Burns.

Griffin discloses a urine specimen collector with a closed rounded tip 44.

Burns discloses a collection assembly with a bottom edge 47 for allowing the container to be placed upright on a flat surface.

The present invention is a collection container comprising a solid partition and a second end comprising a false bottom end which comprises an open bottom end extending from an arcuate shoulder.

Applicant respectfully submits that Griffin and Burns do not teach or suggest a false bottom container having an open bottom end extending from an arcuate shoulder.

Applicant respectfully requests reconsideration and withdrawal of the rejection.

CONCLUSION

Allowance of this application is courteously urged.

Respectfully submitted,

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